

AMENDED IN ASSEMBLY JUNE 23, 2011

SENATE BILL

No. 824

Introduced by Senator Negrete McLeod

February 18, 2011

An act to add Section 2553.1 to the Business and Professions Code, relating to opticians.

LEGISLATIVE COUNSEL'S DIGEST

SB 824, as amended, Negrete McLeod. Opticians: regulation.

Existing law requires that dispensing opticians register with the ~~Division of Licensing of the~~ Medical Board of California *prior to engaging in the practice of a dispensing optician*. Under existing law, a registered dispensing optician is required to obtain and display a separate certificate of registration at each location where his or her business is conducted. Existing law makes a violation of laws regulating a registered dispensing optician a misdemeanor.

This bill would require a registered dispensing optician acquiring ownership of a business to file a notice with the board within 10 days of the completion of the transfer of ownership to him or her. The bill would specify that until receipt of the notice by the board, the registered dispensing optician selling or transferring the interest remains responsible for complying with all laws regulating the business.

Because a violation of laws regulating registered dispensing opticians is a crime, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2553.1 is added to the Business and
2 Professions Code, to read:
3 2553.1. If a registered dispensing optician sells or transfers in
4 ~~any matter on~~ *manner an* ownership interest in his or her place of
5 business, the registered dispensing optician assuming the ownership
6 of the business shall record with the board a written notice of the
7 change of ownership, providing all information required by the
8 board. The registered dispensing optician *assuming the ownership*
9 *of the business* shall file the notice with the board no later than 10
10 calendar days after the change of ownership is completed. The
11 registered dispensing optician selling or transferring the ownership
12 interest in his or her business shall be responsible for complying
13 with all laws relating to the place of business until the notice is
14 received by the board. This section does not apply to a change of
15 location of business by a registered dispensing optician.
16 SEC. 2. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district will be incurred because this act creates a new crime or
20 infraction, eliminates a crime or infraction, or changes the penalty
21 for a crime or infraction, within the meaning of Section 17556 of
22 the Government Code, or changes the definition of a crime within
23 the meaning of Section 6 of Article XIII B of the California
24 Constitution.